

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

BRITNEE KENYON,	)	
Plaintiff,	)	
v.	)	
	)	Case No. 1:24-cv-09878
BOARD OF EDUCATION TOWNSHIP HIGH SCHOOL	)	
DISTRICT 113, DANIEL STRUCK, Individually and in	)	Hon. Sharon Johnson Coleman
his Official Capacity, THOMAS KRIEGER, Individually	)	
and in his Official Capacity, and MICHELLE HAMMER	)	
BERNSTEIN,	)	
Defendants.	)	
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J.L.,	)	
Respondent-In-Discovery.	)	

**MOTION FOR COURT TO ENTER CONFIDENTIALITY ORDER**

Plaintiff, Britnee Kenyon (“Plaintiff” or “Ms. Kenyon”), by and through her attorneys, Miller Berger, LLC, for her Motion for the Court to Enter Confidentiality Order, states as follows:

1. On December 9, 2023, Plaintiff shared a story on her private Instagram account. The December 9 Instagram Story was shared privately; it was not published for the purpose of expressing her political views and/or her beliefs in her capacity as DHS’s Theatre Director. Verified Amended Complaint at ¶ 45. In short, Plaintiff was later reprimanded by the Board after an investigation into her social media accounts, which began after complaints from members of the Deerfield community. This lawsuit followed.
2. On February 26, 2025, this Court entered an order staying discovery as to Defendant Bernstein and setting a deadline for the other parties to respond to discovery on or before March 10, 2025.
3. The Board Defendants and Plaintiff intend to send their written responses to the issued written discovery on or before the due date of March 10, 2025. However, those parties

have agreed that they should not produce responsive documents until after the Court considers the instant motion for a Confidentiality Order, citing privacy concerns.

4. The Board Defendants' attorney and Plaintiff's attorney agreed that this case involves sensitive data, documents, and information regarding Plaintiff as well as student records at Deerfield High School. For these reasons, entry of a confidentiality order is appropriate.
5. The Board of Education, Thomas Krieger, and Daniel Struck's ("the Board Defendants") counsel has reached an agreement with Plaintiff's undersigned counsel regarding the terms of a Confidentiality Order to govern the production and use of certain confidential information during the discovery process.
6. Counsel for the Board Defendants emailed counsel for Defendant Bernstein for agreement but did not receive a response. The undersigned counsel for Plaintiff called counsel for Bernstein and left a voicemail but did not receive a response.
7. Counsel for Plaintiff anticipates that counsel for Bernstein will have no objection to the entry of a confidentiality order, due to the nature of the request regarding Plaintiff's private data and information and Deerfield High School's private data and information.
8. Confidentiality orders afford private litigants the opportunity to prevent public disclosure of private information tendered in discovery that might be damaging to reputation and privacy.
9. The proposed Confidentiality Order is an almost verbatim recitation of the Court's form confidentiality order, with minor changes to paragraph 2. The proposed Order is designed to facilitate the exchange of sensitive information between the parties while protecting against unwarranted disclosure of confidential materials.

10. The entry of the proposed Confidentiality Order will promote the full disclosure of matters relevant to the subject matter of this case, while simultaneously protecting the parties' legitimate privacy interests.
11. The proposed Confidentiality Order, which is attached hereto as Exhibit A, sets forth the terms and conditions for designating, handling, and using confidential information produced during discovery in this matter.
12. The entry of the proposed Confidentiality Order will streamline the discovery process, reduce the potential for discovery disputes, and conserve judicial resources.

WHEREFORE, Plaintiff Britnee Kenyon respectfully requests that this Court enter an Order:

- (a) Granting this Motion for Entry of Confidentiality Order;
- (b) Entering the proposed Confidentiality Order attached hereto as Exhibit A; and
- (c) Granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

Britnee Kenyon,

By: /s/ Thomas J. Cassady  
One of Her Attorneys

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